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APPENDIX III.

[Vide item II (3) on page 87 supra.]

A Bill further to amend the Madras Suppression of Immoral Traffic Act, 1930.

(As passed by the Assembly.)

Madras Act V of 1930. WHEREAS it is expedient further to amend the Madras Suppression of Immoral Traffic Act, 1930, for the purposes hereinafter appearing ; It is hereby enacted as follows :—

1. This Act may be called the Madras Suppression of Immoral Traffic (Amendment) Act, 1947. Short title.

Madras Act V of 1930. 2. In section 4 of the Madras Suppression of Immoral Traffic Act, 1930 (hereinafter referred to as the said Act), after clause (*f*), the following clause shall be inserted, namely :— Amendment, of section 4 Madras Act V of 1930.

"(*g*) 'Vigilance Home' means a corrective institution established or recognized by the Provincial Government, in which women are detained in pursuance of this Act and given such training and instruction and subjected to such disciplinary and moral influences as will conduce to their reformation and the prevention of offences under this Act."

3. In section 12 of the said Act, for the words "two months", the words "one year" shall be substituted. Amendment of section 12, Madras Act V of 1930.

4. After section 12 of the said Act, the following section shall be inserted, namely :— Insertion of new section 12-A in Madras Act V of 1930.

"12-A (1) Where a Magistrate convicting any woman of an offence punishable under section 12 finds that she has not attained the age of thirty years, he may, in lieu of passing a sentence of imprisonment under that section, pass a sentence of detention in a Vigilance Home for a term which shall not be less than two years or more than five years. Detention in Vigilance Home.

(2) Where a Magistrate has arrived at a finding regarding the age of a woman dealt with by him under sub-section (1), such age shall, for the purpose of that sub-section, be deemed to be her true age, and no order or judgment of the Magistrate shall be deemed to be invalid or be liable to be interfered with in appeal or revision on the ground that her age had not been correctly determined by the Magistrate.

(3) For the purposes of appeal and revision under the Code of Criminal Procedure, 1898, a sentence of detention for any period passed under sub-section (1) shall be deemed to be a sentence of imprisonment for the like period." Central Act V of 1898.

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Amendment of section 16, Madras Act V of 1930.

5. In section 16 of the said Act, the word "and" at the end of clause (*a*) shall be omitted, and after clause (*b*), the following shall be added, namely :—

"(*c*) for the purpose of carrying into effect the provisions of section 12-A; and in particular, and without prejudice to the generality of this power, with regard to—

(i) the management of Vigilance Homes and the appointment, powers and duties of officials in such Homes;

(ii) the care, treatment, maintenance, training, instruction and control of the inmates of such Homes;

(iii) visits to, and communications with, such inmates;

(iv) the temporary detention of women sentenced to detention in Vigilance Homes until arrangements are made for sending them to such Homes, provided that no woman shall be detained in the custody of any person or body of a religious persuasion different from hers;

(v) the transfer of women from one Vigilance Home to another;

(vi) the transfer from Vigilance Homes to prisons of women found to be incorrigible or exercising a bad influence, and the period of their detention in such prisons, provided that such period shall not exceed one year;

(vii) the transfer to Vigilance Homes of women sentenced under section 12 and the period of their detention in such Homes;

(viii) the discharge of inmates from Vigilance Homes either absolutely or subject to conditions, and their arrest in the event of a breach of such conditions;

(ix) the grant of permission to inmates to absent themselves for short periods;

(x) the application of the provisions of the Prisons Act, 1894, the Prisoners Act, 1900, and the Madras Borstal Schools Act, 1925, and the rules made under those Acts, to Vigilance Homes and their inmates, subject to such adaptations, alterations and exceptions as may be specified. Central Act IX of 1894 Central Act III of 1900. Madras Act V of 1926.

In making any rule under clause (*c*), the Provincial Government may provide that a breach thereof shall be punishable with fine which may extend to one hundred rupees."